

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, California 95814



December 9, 2004

ERRATA

TO: ALL COUNTY WELFARE DIRECTORS
ALL CalWORKs PROGRAM SPECIALISTS
ALL WELFARE TO WORK COORDINATORS

SUBJECT: CORRECTION TO ALL COUNTY LETTER (ACL) 04-41

REFERENCE: WELFARE AND INSTITUTIONS (W&I) CODE SECTIONS 11322.8,
11325.21. AND 11454; ALL COUNTY LETTERS 01-71 AND 03-59

This errata makes clarifications and corrections to ACL 04-41, which contained information on changes to the California Work Opportunity and Responsibility to Kids (CalWORKs) Welfare To Work (WTW) program resulting from the passage of Senate Bill (SB) 1104, Chapter 229, Statutes of 2004. The corrections are as follows:

1. On page 2, under the section entitled IMPLEMENTATION TIMELINES, the second paragraph has been changed to correct the implementation requirement for individuals who began receiving aid prior to December 1, 2004. This paragraph now reads, "Effective December 1, 2004, any individual who begins receiving cash aid will be subject to the new WTW requirements. For an individual who already is receiving cash aid prior to December 1, 2004, and who is required to enter a plan, but has not done so, the county must develop a WTW plan that reflects the new WTW requirements, and have him or her sign it by no later than March 1, 2005."
2. On pages 3 and 4, under the section entitled UNIVERSAL ENGAGEMENT (W&I CODE SECTION 11325.21), this section is amended to change the date a new non-exempt individual's universal engagement timeframes begin when aid begins after the date of the notice of action (NOA) that informs the individual of his or her eligibility for aid. In these situations, the timeframes begin on the date aid actually begins instead the date of the NOA. This new section reads as follows:

All new non-exempt individuals, except those who begin job search as specified below, are required to sign a WTW plan after assessment, but no more than 90 days from either the date that their eligibility for aid is determined or the date that the recipient is required to participate in WTW activities. This provision allowing counties to have a 90-day timeframe to develop and have an individual sign a WTW plan only applies to the development of an individual's initial WTW plan.

For new non-exempt individuals who are eligible for aid on the date they apply, their 90-day timeframe begins on the date that their eligibility for aid is determined. This date shall be the date of the notice of action (NOA) that informs an individual of his or

her eligibility for aid. New non-exempt individuals who are ineligible for aid on the date they apply, but who the county has determined will be eligible for aid, shall have their 90-day timeframe begin on the date they begin receiving aid, which is the same date that they can be required to participate in WTW activities.

In addition, for purposes of universal engagement, individuals who have been on aid for some time, have not yet been required to sign an initial WTW plan, but must begin or resume participation in the WTW program, shall have their 90-day timeframe begin on the date that the recipient is required to participate in WTW activities. In cases when the county knows the date in advance that an individual is required to participate, the county has 90 days from the date an individual is required to participate to develop a WTW plan for individual. When the county does not know the date in advance, the date an individual is required to participate is no later than the first day of the first month following the month in which either of the following occurs: 1) the individual ceases to participate as required (i.e., quits working 32 or 35 hours at the job he or she had before assessment); or, 2) the reason that permitted the individual to not have to participate ceases to be valid (i.e., his or her WTW exemption has ended)....

...SB 1104 universal engagement provisions provide that the recipient and county may enter into a WTW plan as late as 90 days after the completion of a job search activity, pursuant to W & I Code Section 11320.1, if the job search activity is initiated within 30 days after the date that the individual's eligibility for aid is determined or the date the recipient is required to participate in WTW activities. W & I Code Section 11320.1 defines job search as job search and job club activities provided pursuant to W & I Code Section 11325.22. Job search is considered to be 'initiated' when a recipient begins attending an allowable job search activity.

The 90-day timeframe to develop a WTW plan does not include time that an individual spends in the good cause determination, compliance, and curing processes. However, time participating in disability screenings and evaluations and third-party assessments do count toward the 90 days since these activities are part of the process to develop an appropriate WTW plan.

3. On page 6, under the section entitled EXCEPTIONS TO CORE HOURLY REQUIREMENTS (W&I CODE SECTION 11322.8), the first paragraph is clarified to read, "The excess hours of participation in the above mental health, substance abuse, domestic violence services and specified educational activities can be counted as core hours only when all of the individual's non-core hours are comprised solely of participation in these treatment and/or educational activities."

If you have any questions regarding this letter, please contact Kyle Weber of the Employment Bureau at (916) 654-1394.

c: CWDA
CSAC